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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,850	02/04/2004		4204.30-1

23559  
 MUNSCH, HARDT, KOPF & HARR, P.C.  
 INTELLECTUAL PROPERTY DOCKET CLERK  
 1445 ROSS AVENUE, SUITE 4000  
 DALLAS, TX 75202-2790

CONFIRMATION NO. 9746

## FORMALITIES LETTER



\*OC000000012533986\*

Date Mailed: 05/05/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$144 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$594 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration. Surcharge.

12/09/2004 MAHME1 00000067 10771850

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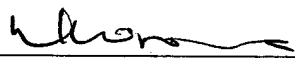
- Total additional claim fee(s) for this application is \$144

- \$144 for 16 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKET NO. 4204.30-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 06 2004

Applicant: Joel Marquart, et al.

Application No.: 10/771,850

Filed: February 4, 2004

For: System and Method for Providing Computer Assistance with Spinal Fixation Procedures

Docket No.: 4204.30-1

Examiner: TBD

Art Unit: 3736

**RESPONSE TO NOTICE OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

EXPRESS MAIL LABEL NO. EV349707662US

MAIL STOP: MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being sent by the United States Postal Service Express Mail Post Office to Addressee to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 6, 2004.

Name: Marc A. Hubbard

Signature: [Signature]

In response to the Notice of Notice of Missing Parts of Nonprovisional Application mailed May 5, 2004, submitted herewith are:

1. Return copy of Notice of Missing Parts of Nonprovisional Application;
2. A Petition for Extension of Time under 37 C.F.R. 1.136(a);
3. A Petition under 37 CFR 1.41(a) and check in the amount of \$130 to cover required fee under 37 C.F.R. 1.17(i);
4. A check in the amount of \$2340 to cover the fee of \$2080 required under 37 C.F.R. 1.17(a), the processing fee required under 37 C.F.R. 1.17(i), and the surcharge fee of \$130 required under 37 C.F.R. 1.16(e); and
5. A return Receipt Postcard.

A continuation application, claiming priority to the above-referenced application, is being filed concurrently herewith pursuant to 37 C.F.R. 1.53(b).

Please retain the referenced application pursuant to 37 C.F.R. 1.53(f). If a required petition for extension of time under 37 C.F.R. §1.136(a) is not included herewith, please treat this paper as a petition for the extension. The Director is hereby authorized to credit any overpayment or charge any additional fees necessitated with this communication to Deposit Account 13-4900.

Respectfully submitted,

Date: 6 Dec 2004

[Signature]  
Marc A. Hubbard  
Reg. No. 32,506

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